

DRAFT  
MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

5 MAY 1998

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Nancy Mincello, Robert V. Perkins, and Donald R. Vaughan. Absent: Councilmember Earl F. Jones, excused by action of the Council. Also present were J. Edward Kitchen, City Manager; Terry L. Wood, Deputy City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Louise Schneider, employee in the Engineering and Inspections Department, who served as courier for the meeting.

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Assistant Chief Anthony Scales recognized the winners of the poetry contest sponsored by the Greensboro Police Department in honor of the National Peace Officers' Week celebration. Chief Scales and Mayor Allen congratulated the following students and commended them for their excellent work: First Place Winner--Carrie L. Macon, Page Senior High School; Second Place Winner--Craig Hoffman, Northeast High School; Honorable mention: Yen Le, Northwest Guilford High School; Lisa Murden, Aycock Middle School; and Steven Allen, Lincoln Middle School.

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Councilmember Burroughs-White moved that Councilmember Jones be excused from attendance at this meeting. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of the Council.

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The Mayor advised that in response to a request from Bennett College, Council intended to continue Item # 22, a resolution closing Gorrell Street between Sampson Street and Bennett Street, to the June 2, 1998 regular meeting of Council.

C. Thomas Martin, Acting Planning Department Director, also advised that Item # 25, an ordinance rezoning from RS-12 Residential Single Family to Conditional Use-RM-8 Residential Multifamily for property located on the north side of Joseph M. Bryan Boulevard west of Horse Pen Creek Road, would be deleted from the agenda; he stated that the public hearing for this item would be held at the May 19, 1998 meeting of Council.

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The Mayor introduced a resolution directing the filing with the City Clerk of the Budget Estimate for the Fiscal Year 1998-99.

City Manager Kitchen presented to Council the FY 1998-99 Proposed Budget and the FY 1999-00 Projected Budget. He advised the proposed 1998-99 budget was balanced with a property tax rate of 58.25 cents, including 1.5 cents for transit services. The Manager emphasized the 2.5 cent reduction in the property tax rate was the first reduction, excluding re-evaluations, in over twenty years.

Providing an overview, the Manager advised the proposed budget would provide for the maintenance of existing services and included additional funding for a number of high priority issues such as public safety, operation of the new central library, and funding for some capital improvements projects. He reviewed plans for the capital funding on a "Pay-As-You-Go" basis for acquisition of park lands, buildings at the Arboretum and Barber Park, enhancements in the Melvin Municipal Office Building and improvements at the Historical Museum.

The City Manager spoke to the one-time funds for other capital needs and advised his recommendation was to target these funds to address needs identified in the Parks and Recreation Master Plan, provide Fire Stations in the newly annexed areas and/or renovate other existing City facilities.

City Manager Kitchen reviewed specific financial steps and policies which would enable the City to maintain and strengthen Greensboro's sound financial condition and maintain the extremely valuable "AAA" Bond Rating.

Stating that one of his highest priorities and a critical issue for Greensboro was the development and maintenance of an adequate water supply and wastewater treatment capacity, the Manager reviewed that portion of the proposed budget which included a 17% increase overall in water and sewer rates to address critical capital needs to adequately address future short and long-term growth. He also outlined a proposed policy change with regard to water and sewer extensions which allowed for new water and sewer lines only to users within the City limits or soon to be annexed areas until the current limited water and sewer capacity was addressed. The Manager emphasized this would give City of Greensboro residents priority for allocation of this scarce resource.

The Manager reviewed plans for fee changes to support mandated improvements in the solid waste management program, the transfer of funds to the Coliseum Fund with respect to the acquisition and renovation of property for parking, a projected one-half cent decrease in the property tax rate in FY 99/00 as General Fund support of the Water Resources Fund was further shifted to that fund providing a direct benefit to City residents, and other details relating to the proposed budget.

He advised this unique budget was designed to move the City in a new direction. He complimented Pat Pate, Budget and Evaluation Department Director and his staff, the Assistant City Managers, Department Heads and employees who contributed to the creation of the proposed budget and for

continuing to deliver high quality services.

The Manager stated a public hearing on the budget would be held at the regular Council meeting on 19 May 1998, and that he anticipated adoption of the budget by Council at the 2 June 1998 meeting.

Councilmember Burroughs-White moved adoption of the resolution filing with the City Clerk of the Budget Estimate for the Fiscal Year 1998-99. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

95-98 RESOLUTION DIRECTING THE FILING WITH THE CITY CLERK OF THE BUDGET ESTIMATE FOR THE FISCAL YEAR 1998-99

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The budget estimate of the City of Greensboro for the fiscal year beginning July 1, 1998, which was this day submitted to the City Council, is hereby ordered filed with the City Clerk where it shall remain for public inspection for at least ten (10) days from this date.

Section 2. A copy of said budget estimate shall be made available to all news media in the County.

Section 3. This resolution shall be published in at least one newspaper published in the City and shall serve as notice that the budget estimate has been presented to the City Council, that a copy of same is on file for public inspection in the office of the City Clerk, and as notice of the time and place of the public hearing as set out below.

Section 4. A public hearing shall be held in the city Council Chamber at 6:00 p.m. on May 19, 1998, at which time the city Council will hear from any persons who may wish to be heard on the budget.

(Signed) Claudette Burroughs-White

(A copy of the City Manager's Budget Message and Highlights of the City Manager's Proposed Budget for 1998-99 is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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Mayor Allen explained the Council procedures for conduct of the meeting.

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The Mayor stated this was the time and place set for a public hearing to consider an ordinance annexing 19.07 acres of territory to the corporate limits located east of Adams Farm. She thereupon introduced so that these items could be discussed together an ordinance establishing Original Zoning classification from County Zoning Agricultural to City Zoning RM-12 Residential Multifamily for property located at the terminus

of Atwater Drive (private) south of Adams Ridge Drive and Heritage Woods Drive.

Mr. Martin stated that the Planning Board had recommended in favor of the annexation, and the Zoning Commission had recommended approval of the rezoning; he provided slides of the property and surrounding area. Mr. Martin further stated that the Planning Department recommended that this original zoning request be approved. He advised that RM-I2 was one of three multifamily districts that permits manufactured dwelling parks and that although such a land use was allowed in Agricultural Districts, zoning the property AG would not be consistent with City zoning practices. He stated RM-I2 was the best classification that can be applied to this tract.

Mayor Allen asked if anyone wished to be heard with respect to the annexation and zoning.

There being no one present desiring to speak to this matter, Councilmember Perkins moved adoption of the ordinance annexing to the corporate limits 19.07 acres located east of Adams Farm. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

98-59 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED EAST OF ADAMS FARM -- 19.07 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro City limit line (as of February 28, 1998), said point being the southeast end of that line labeled as T30 on City of Greensboro Drawing D-2066B, which shows the Adams Farm Annexation;

THENCE PROCEEDING THE FOLLOWING COURSES AND DISTANCES WITH THE EXISTING CITY LIMITS and being as further described on City of Greensboro Drawing D-2066B: North 56°59'02" West 866.77 feet to a point, North 17°15'22" East 271.50 feet to a point, South 87°17'06" East 387.38 feet to the southwest corner of a cemetery tract;

THENCE DEPARTING FROM THE EXISTING CITY LIMITS and proceeding approximately 82 feet in an easterly direction along the south line of said cemetery tract, also the north line of the John A. Suits Homeplace, as recorded in Plat Book 11, Page 99 in the Office of the Register of Deeds of Guilford County, to the southeast corner of said cemetery tract;

THENCE PROCEEDING THE FOLLOWING COURSES AND DISTANCES WITH THE EXISTING CITY LIMITS and being as further described on City of Greensboro Drawing D-2066B: South 88°14'37" East 429.73 feet to a point, North 04°08'28" East 302.02 feet to a point, South 88°08'45" East 599.92 feet to a point;

THENCE DEPARTING FROM THE EXISTING CITY LIMITS and proceeding South 88°08'45" East to the southeast right-of-way line of Atwater Drive; thence in a southwesterly direction along said southeast right-of-way line approximately 1,200 feet to its intersection with the northwestwardly

projection of the northeast line of that property annexed effective April 30, 1998 and shown on City of Greensboro Drawing D-2408; thence South 41°12'21" East along said projection approximately 45 feet to a point in the centerline of the Norfolk Southern railway track; thence in a southwestwardly direction with said centerline (the City limit line as of April 30, 1998) approximately 208 feet to a point; thence in a northwesterly direction along the April 30, 1998 City limit line, being a line at a right angle to said railway track centerline, to a point in the existing City limits;

THENCE PROCEEDING IN A NORTHEASTERLY DIRECTION WITH THE EXISTING CITY LIMITS to the point and place of BEGINNING, and containing approximately 19.07 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 1998, the liability for municipal taxes for the 1998-99 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 1998. Municipal ad valorem taxes for the 1999-2000 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 1998.

(Signed) Robert V. Perkins

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There being no one present desiring to speak to this rezoning, Councilmember Johnson moved adoption of the ordinance establishing Original Zoning classification from County Zoning Agricultural to City Zoning RM-I2 Residential Multifamily for property located at the terminus of Atwater Drive (private) south of Adams Ridge Drive and Heritage Woods Drive. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

AMENDING OFFICIAL ZONING MAP

TERMINUS OF ATWATER DRIVE (PRIVATE) SOUTH OF ADAMS RIDGE DRIVE AND  
HERITAGE  
WOODS DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning to RM-12 Residential Multifamily uses for the area described as follows:

BEGINNING at a point in the existing Greensboro city limit line (as of February 28, 1998), said point being the southeast end of that line labeled as T30 on City of Greensboro drawing D-2066B, which shows the Adams Farm annexation;

THENCE PROCEEDING THE FOLLOWING COURSES AND DISTANCES WITH THE EXISTING CITY LIMITS and being as further described on City of Greensboro drawing D-2066B: N 56° 59' 02" W 866.77 feet to a point, N 17° 15' 22" E 271.50 feet to a point, S 87° 17' 06" E 387.38 feet to the southwest corner of a cemetery tract;

THENCE DEPARTING FROM THE EXISTING CITY LIMITS and proceeding approximately 82 feet in an easterly direction along the south line of said cemetery tract, also the north line of the John A. Suits Homeplace, as recorded in Plat Book 11, Page 99 in the Office of the Register of Deeds of Guilford County, to the southeast corner of said cemetery tract;

THENCE PROCEEDING THE FOLLOWING COURSES AND DISTANCES WITH THE EXISTING CITY LIMITS and being as further described on City of Greensboro drawing D-2066B: S 88° 14' 37" E 429.73 feet to a point, N 04° 08' 28" E 302.02 feet to a point, S 88° 08' 45" E 599.92 feet to a point;

THENCE DEPARTING FROM THE EXISTING CITY LIMITS and proceeding S 88° 08' 45" E to the southeast right-of-way line of Atwater Drive; thence in a southwesterly direction along said southeast right-of-way line approximately 1,200 feet to its intersection with the northwestwardly projection of the northeast line of that property annexed effective April 30, 1998 and shown on City of Greensboro drawing D-2408; thence S 41° 12' 21" E along said projection approximately 45 feet to a point in the centerline of the Norfolk Southern railway track; thence in a southwestwardly direction with said centerline (the city limit line as of April 30, 1998) approximately 208 feet to a point; thence in a northwesterly direction along the April 30, 1998 city limit line, being a line at a right angle to said railway track centerline, to a point in the exiting city limits;

THENCE PROCEEDING IN A NORTHEASTERLY DIRECTION WITH THE EXISTING CITY LIMITS to the point and place of BEGINNING, and containing approximately 19.07 acres.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Yvonne J. Johnson

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Mayor Allen stated that this was the time and place set for a public hearing to consider an ordinance establishing Original Zoning classification from County Zoning RS-12 Residential Single Family and rezoning from City Zoning RS-12 Residential Single Family to City Zoning RS-7 Residential Single Family for property located at the terminus of Shady Pine Drive east of Coltsfoot Road.

Mr. Martin stated that this action would establish Original Zoning for property annexed by Council at an earlier meeting. Advising the Zoning Commission had recommended in favor of the zoning, he thereupon provided a slide presentation of the area and surrounding property. Mr. Martin further stated that the Planning Department recommended that this original zoning request be approved. He advised a subdivision plat was currently under review for this tract of land which featured dedication of drainageway and open space and provision of a permanent wet detention pond; he stated the lot sizes ranged from 7,854 square feet to greater than 14,000 square feet; however, many of the lots were in the 8,700 - 8,900 square foot range and, for this reason, RS-7 would be the appropriate zoning classification. Mr. Martin advised that given the fact that there was RS-5 zoning immediately to the west and this property abutted the urban loop on the south and powerline right-of-way on the east, staff felt that this proposed zoning classification was reasonable.

Mayor Allen asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

98-61

#### AMENDING OFFICIAL ZONING MAP

#### TERMINUS OF SHADY PINE DRIVE EAST OF COLTSFOOT ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning and rezoning from RS-12 Residential Single Family to RS-7 Residential Single Family uses for the area described as follows:

BEGINNING at an existing iron pipe marking the southeast corner of Lot 170, Section 4, in the Orchard Subdivision as per plat thereof recorded in Plat Book 54, Page 86, in the Office of the Guilford County, N.C. Register of Deeds, running thence from said BEGINNING point S08°00'00"E 719.01 feet to a point; thence S59°38'11"W 641.51 feet to a point; thence N87°32'00"W 28.96 feet to a point, said point being a common corner with Elmer A. McAdoo, Jr.; thence along McAdoo's line N00°30'00"E 505.29 feet to a point, said point being a common corner with Coltsfoot Meadows as recorded in Plat Book 118, Page 124 in the Office of the Guilford County Register of Deeds; thence N09°15'00"E approximately 60 feet to a point in the centerline of a creek; thence meandering with the centerline of the

creek and the City Limit line in a northward direction for a distance of approximately 385 feet to a point in the southern line of property shown as "Not A Buildable Lot", recorded in Plat Book 52, Page 45; thence in an eastward direction for a distance of approximately 75 feet; thence N06°01'00"W 85.69 feet to a point in the southwest corner of Lot 169 of the Orchard, Section 4, Revised, as recorded in Plat Book 54, Page 86; thence N72°13'00"E 150.00 feet to a point on the west R/W line of Shady Pine Drive; thence crossing Shady Pine Drive S64°17'00"E 82.10 feet to a point; thence along the south property line of Lot 170 of the Orchard, Section 4 N72°42'00"E 254.75 feet to the point of BEGINNING, containing 10.383 acres more or less.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance establishing Original Zoning classification from County Zoning Agricultural to City Zoning RS-l2 Residential Single Family for property located on the south side of Mackay Road east of Adams Farm Parkway.

Mr. Martin stated this ordinance would establish zoning on property already annexed by the Council. He stated that the Zoning Commission had recommended in favor of the zoning and provided a slide presentation to show the property and surrounding area. Mr. Martin further stated that the Planning Department recommended that this original zoning request be approved. He advised churches were permitted in any single family residential zoning district and that although such a land use was allowed in Agricultural Districts, zoning the property AG would not be consistent with City zoning practices. Mr. Martin stated that staff felt that RS-12 was a reasonable zoning classification to apply to this tract.

Mayor Allen asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, some Council members expressed concern with future problems which might result from rezoning this property to Residential Single Family when it was located beside property zoned Heavy Industrial. Mr. Martin advised that while this was an unusual request, the property owner had requested this zoning and was fully aware of the zoning on the adjacent property.

Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Mincello, and Vaughan. Noes: Johnson and Perkins.

98-62

AMENDING OFFICIAL ZONING MAP

SOUTH SIDE OF MACKAY ROAD EAST OF ADAMS FARM PARKWAY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:



Section 1. The Official Zoning Map is hereby amended by establishing original zoning to RS-12 Residential Single Family uses for the area described as follows:

BEGINNING at a point on the south margin of Mackay Road, the existing city limit line of the City of Greensboro; thence with the south margin of Mackay Road the following four calls: S73°29'56"E 100.70 feet to a point; S75°25'14"E 100.14 feet to a point; S77°40'47"E 99.63 feet to a point; S83°16'28"E 97.71 feet to a point, said point being the northwest corner of Lot 44 of The Jon A. Suits Homeplace Subdivision as shown on a map recorded in Plat Book 11, Page 99 in the Office of Register of Deeds of Guilford County; thence with the west line of said Lot 44 S06°00'51"W 395.71 feet to a point, said point being the southwest corner of said Lot 44; thence with the south line of said Lot 44 S76°04'17"E 72.88 feet to a point, said point being on the south line of said Lot 44 and being the northwest corner of Lot 51 of said Plat Book 11, Page 99; thence with the west line of Lot 51 and Lot 52 of the said Plat Book 11, Page 99 S41°18'13"W 213.92 feet to a point, said point being the southwest corner of said Lot 52 and the northwest corner of Lot 53 of said Plat Book 11, Page 99; thence with the west line of Lot 53, Lot 54 and Lot 55 of said Plat Book 11, Page 99 S41°51'06"W 299.12 feet to a point, said point being the southwest corner of said Lot 55 and the northwest corner of Lot 56 of said Plat Book 11, Page 99; thence with the west line of said Lot 55 S42°57'57"W 99.77 feet to a point, the southwest corner of said Lot 56 and the northeast corner of Lot 11 of the Fox Hollow Subdivision as shown on a map recorded in Plat Book 113, Page 110 in said Guilford County Registry; thence with the north line of Lot 11, Lot 10 and Lot 9 of said Plat Book 113, Page 110 N76°30'22"W 288.06 feet to a point, said point being on the north line of said Lot 9; thence with the east line of the Common Area of Elk Run Subdivision as shown on a map recorded in Plat Book 91, Page 64 in said Guilford County Registry and the west margin on a 40 foot dedicated street right-of-way N07°21'05"E 549.68 feet to a point; thence crossing said dedicated street right-of-way and with the south line of Lot 39 of said Plat Book 11, Page 99 in said Guilford County Registry S75°30'00"E 165.52 feet to a point the southeast corner of said Lot 39; thence with the east line of said Lot 39 N06°07'34"E 385.38 feet to the point of BEGINNING, containing 9.27 acres more or less.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Sandy Carmany

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use-Light Industrial to Conditional Use-Light Industrial for property located on the east side of Guilford College Road between Nicholas Road and Bramblegate Road.

The Mayor administered the oath to those speakers present in the Chamber who wished to speak to this matter.

Mr. Martin provided the following staff presentation:

## REQUEST

This request is to rezone property from Conditional Use - Light Industrial to Conditional Use - Light Industrial.

The Light Industrial District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities.

The existing Conditional Use - Light Industrial District contains the conditions which are listed on the agenda and in the copy of the staff report:

- 1) Uses limited to mini storage warehouses and outside storage for boats and motor vehicles in operating condition.
- 2) Suitable opaque screening to be provided along southern property line.

## CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses limited to mini storage warehouses and outside storage for boats and motor vehicles in operating condition; and a telecommunication tower.
- 2) Suitable opaque screening to be provided along southern property line.
- 3) Telecommunication tower shall be a monopole with a maximum height of 135 ft. tall with antennas to be located not more than 16 inches off of the monopole.
- 4) Tower will be structurally capable of handling one other carrier.

## DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 2.85 acres and is located on the east side of Guilford College Road between Nicholas Road and Bramblegate Road.

	Zoning	Land Use
Subject Property	CU-LI (self storage warehouses)	Guilford Mini Storage
North	LI	Batts Body Shop
East	CU-SC Center	Wendover Place Shopping
South	RS-40	Single family dwelling
West	RM-12 townhouses	Charlestowne Village

Mr. Martin stated that the Planning Department and the Zoning Commission had recommended approval of the request. He provided a slide presentation of the property and surrounding area.

Yvenne Arceneaux, representing Sprint PCS, presented handouts to the Council and requested approval of the zoning to enable their company to place a 138 feet tower on the property. She provided an overview of the company's efforts to co-locate when possible with Duke Power. She noted in this instance, an easement could not be negotiated to permit this co-location. In response to Council inquiries, she advised the 360 Communication tower located in that area could not be modified for their use because the tower would then violate FCC height regulations.

Mr. Martin stated the Planning Department recommended that this request be approved. He advised this property was initially rezoned to conditional use - light industrial for mini storage warehouses in 1990. He further stated there was an existing cellular tower on the property northeast of and adjacent to this tract, and the applicant investigated co-location on that tower but determined it was not feasible due to height. Mr. Martin also stated the applicant included a condition that required the tower currently under consideration be designed for co-location. He stated the tower would be located behind the existing mini warehouse units and set back approximately 550 feet from Guilford College Road and would be closer to the existing tower than to the road. Mr. Martin added that as a result, staff believed that this would be a good location and that the proposed tower would be compatible with the existing storage warehouse facility, as well as adjacent nonresidential development.

Council discussed various opinions and concern with respect to this rezoning request; they inquired as to whether there were any possible alternatives to the rezoning of this property. After additional discussion, Council directed the applicants to work with Duke Power in an effort to obtain an easement for Spring to co-locate on the existing tower. Council also requested information with respect to FAA restrictions that would prohibit the raising of the existing 360 Communications Tower.

Councilmember Perkins moved that this ordinance be continued to the June 2, 1998 meeting of Council in order that the applicant might renew efforts to co-locate on an existing tower in the area and in order that Council might receive additional information. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

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Mayor Allen stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use-Corporate park to Conditional Use-Corporate Park for property located on the south side of Landmark Center Boulevard west of Stanley Road.

Mayor Allen administered the oath to those individuals who wished to speak to this matter.

Mr. Martin provided the following staff presentation:

#### REQUEST

This request is to rezone property from Conditional Use - Corporate Park to Conditional Use - Corporate Park.

The Corporate Park District is primarily intended to accommodate office,

warehouse, research and development, and assembly uses on large sites in a planned, campus-like setting compatible with adjacent residential uses.

The existing Conditional Use - Corporate Park District contains the conditions which are listed on the agenda and in the copy of the staff report:

- 1) A connector road from Hilltop Road to Wendover Avenue shall be constructed as affected properties are developed at a location to be approved by N.C. Dept. of Transportation in accordance with standard City of Greensboro policies.
- 2) Maximum height of any buildings constructed to be south and/or east sides of two westernmost existing lakes on Parcel 1 shall be limited to 3 stories. Said lakes shall be retained or replaced with lakes of similar size and number.
- 3) Minimum 50 foot yards from property lines of adjoining residentially zoned lots fronting Stanley Road on east and south sides of Parcel 1 as long as said lots remain zoned for residential use.

#### CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) All uses permitted in the CP Zoning District.
- 2) The maximum height of any building constructed on the property shall be limited to five (5) stories.

#### DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 5.4 acres and is located on the south side of Landmark Center Boulevard west of Stanley Road.

	Zoning	Land Use
Subject Property	CU-CP	Site in preparation for development
North	CU-CP	Vacant, graded land
East	RS-40	4 single family dwellings
South	CU-RM-12 (property zoned for 214 dwelling units)	Single family dwelling
West	RS-40 CU-CP building	Vacant Vacant lot & former ACC

Mr. Martin advised the Planning Department and Zoning Commission had recommended approval of the request; he provided a slide presentation of the property and surrounding area.

Henry Isaacson, attorney representing Wingate Hotels and Wendover South Associates, stated the sole purpose for the rezoning was to modify the height restriction presently on the property to increase the height allowed on the property from three to five stories. He advised five story

buildings were currently located on a number of nearby properties.

Mr. Martin stated that the Planning Department recommended that this request be approved. He advised the sole purpose of this rezoning was to adjust the condition which pertains to height of buildings. Mr. Martin added that when this area was initially zoned Conditional Use - Corporate Park in 1987, it was envisioned that the property to the south would develop as low density residential; thus, from a compatibility standpoint, there was a logical reason to limit building height to three (3) stories on the subject property. He further advised, however, the property to the south was rezoned to CU-RM-12 in November 1996 for a maximum of 214 dwelling units in buildings which could be three (3) stories high. Given this rezoning, Mr. Martin stated that staff felt the limitation to three (3) stories on the subject property was no longer necessary and recommended that this adjustment of the condition be approved.

Councilmember Johnson moved that this ordinance be that the ordinance rezoning this property to Conditional Use - Corporate Park be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the potential development of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because most surrounding property is either zoned CU-CP or CU-SC.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this request simply allows two additional stories for buildings and the anticipated type of development on property to the south has changed since the initial zoning of this property removing the reason for the initial height limitation.

The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

98-63 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF  
CONDITIONAL USE PERMIT

SOUTH SIDE OF LANDMARK CENTER BOULEVARD WEST OF STANLEY ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use - Corporate Park to Conditional Use - Corporate Park (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the southern right-of-way line of Landmark Center Boulevard, said point also being the northeast corner of the property of Daley Lodge of Greensboro, LLC, Lot 19 as shown on a plat recorded in Plat Book 127, Page 37 in the Office of the Guilford County Register of Deeds; thence along a common line with the eastern line of the Daley Lodge property S06°18'07"W 153.97 feet to a point; thence S00°37'00"W 237.27 feet to a point; thence along a common line with the southern line of the Daley Lodge property N89°22'54"W 57.93 feet to a point; thence along a common line with the property of the Fitzgerald Heirs as recorded in Deed Book 3854, Page 2194 S04°52'41"W 198.34 feet to a point, said point being the northwest corner of the property of Mildred C. Hudson as recorded in Deed Book 1456, Page 124; thence along a common line with the northern line of the Hudson property S86°23'14"E 924.84 feet to a point in the southern right-of-way line Landmark Center Boulevard; thence along said right-of-way line N70°36'12"W 173.38 feet to a point; thence along the arc of a curve to the right having a radius of 609 feet and a chord bearing and distance of N48°21'24"W 461.13 feet to a point; thence N26°06'35"W 5.64 feet to a point; thence along the arc of a curve to the left having a radius of 541 feet and a chord bearing and distance of N49°05'11"W 422.37 feet to the point of BEGINNING, containing 5.50 acres more or less, all according to a plat prepared December 9, 1997 by F. Donald Lawrence and Associates, P.A.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) All uses permitted in the CP Zoning District.
- 2) The maximum height of any building constructed on the property shall be limited to five (5) stories.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Yvonne J. Johnson

.....

The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Light Industrial to RM-12 Residential Multifamily for property located at the northwest intersection of Gatewood Avenue and Tucker Street.

Mr. Martin stated that the Planning Board had recommended in favor of this rezoning; however, the Planning Department recommended that this request be denied. He provided a slide presentation of the property and surrounding area.

Mayor Allen asked if anyone wished to be heard.

Al Williams, proposed developer of the property, stated that he planned to build townhouses for sale, and a facility for the elderly.

Mr. Martin stated that the Planning Department recommended that this request be denied. He stated that when the Phillips Avenue Neighborhood Plan was completed in 1980 and as part of its implementation, many areas that were zoned multifamily were downzoned to single family to address residents' interests in stabilizing the neighborhood. Mr. Martin further advised the properties that were left with multifamily zoning were ones where a multifamily use had already been developed and that while this created some multifamily spots, this action helped to preserve the existing mix of housing types and prevented an excessive concentration of small apartment buildings, a situation that had led to problems in other parts of the City. He stated the subject property was left with a light industrial classification because it contained the most prominent and oldest industrial use - the Gravely Furniture Company; however, now that this use was no longer there and the industrial buildings had been removed, staff felt the intent of the neighborhood plan should be honored and that another small spot of multifamily development should not be created.

Council discussed with Mr. Martin and Dan Curry, Housing and Community Development Department, various opinions and concerns with respect to this request; i.e., the proposed development, the fact that Council must consider all uses permitted under the requested zoning, the fact that there are no funds in the Housing budget to purchase available properties in the area, the preference for single family housing to continue to stabilize the area, the timeframe in which the applicant could return with a different zoning request, etc. Councilmember Burroughs-White expressed particular concern that efforts to reduce multifamily housing in this area could be in jeopardy if this and other similar requests were approved by Council.

In response to an inquiry by Councilmember Holliday regarding his employer's involvement with other developments by this individual and whether this would constitute a conflict of interest, Deputy City Attorney Wood advised it would not.

Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Holliday; the ordinance was DEFEATED on the following roll call vote: Ayes: Holliday and Perkins. Noes: Allen, Burroughs-White, Carmany, Johnson, Mincello, and Vaughan.

(A copy of the ordinance as introduced and DEFEATED is filed in Exhibit Drawer M, Exhibit Number 2, which is hereby referred to and made a part of these minutes.)

Later in the meeting Councilmember Perkins stated that he was concerned that the denial of zoning requests for this area might discourage further development in an area where the City had attempted to target for economic development; he thereupon requested that if Mr. Williams wished to submit another zoning application for this property, the City waive the usual fees. The Manager cautioned that this action might set a precedent for future requests. After discussion it was determined that staff would provide to Council information regarding ways in which appropriate growth/development suggested in the Phillips Avenue Plan could be

encouraged in this area.

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use-General business to Conditional Use-General Office Moderate Intensity for property located at the southwest intersection of West Northwood Street and Winstead Place.

The Mayor administered the oath to those individuals who wished to speak to this matter.

Mr. Martin provided the following staff presentation:

## REQUEST

This request is to rezone property from Conditional Use - General Business to Conditional Use - General Office Moderate Intensity.

The General Business District is primarily intended to accommodate a wide range of retail, service, and office uses.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses, and supporting service uses.

The existing Conditional Use - General Business District contains the conditions which are listed on the agenda and in the copy of the staff report:

- 1) Parcel A:
  - a) Uses limited to buffer and landscaped areas.
  - b) Construct and maintain a solid brick wall for entire length of southern line of Parcel A except for pedestrian access area at eastern side.
  - c) Parcel A will be dedicated to the City of Greensboro upon approval by the City of Greensboro.
  - d) There shall be no vehicular access to Winstead Place.
- 2) Parcel B: Uses limited to off-street parking, buffers and landscaped areas.

## CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses shall be limited to a beauty salon and/or barber shop and only the following uses permitted in the Limited Office Zoning District: Accessory Uses and Structures: Accessory Uses and Structures (customary); Educational and Institutional Uses: Libraries; Museums or Art Galleries; Business, Professional and Personal Services: Accounting, Auditing, or Bookkeeping; Administrative or Management Services; Economic, Socio., or Educational Research; Engineering, Architect or Survey Services; Insurance Agencies (no on-site claims inspection); Law Offices; Medical, Dental, or Related Offices; Medical or Dental Laboratories; Noncommercial Research Organizations; Real Estate Offices;



- Rehabilitation or Counseling Services; Stock, Security or Commodity Brokers; Travel Agencies; Other Uses: Parking for any of the Above Permitted Uses.
- 2) A maximum of two (2) site access driveways shall be allowed on Winstead Place at Northwood Street at locations approved by GDOT/NCDOT.
  - 3) The maximum height of the building shall be 38 feet (1 story).
  - 4) The building shall be constructed of brick veneer with wood trim.
  - 5) Along the frontage of Winstead Place at Northwood Street, the average width of the street yard as well as the rate of shrub planting and minimum caliper of canopy trees shall be doubled (16', 34 per 100 and 4", respectively).
  - 6) There shall be no Bar and no Sexually Oriented Business (as that term is defined in City of Greensboro Ordinance 30-2-2.7) located in this parcel.
  - 7) There shall be no vehicular access between the subject property and any adjoining properties to the south, east or west.
  - 8) There shall be no parking between the building, which shall be located on the subject property, and Winstead Place.

#### DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 0.77 acre and is located at the southwest intersection of West Northwood Street and Winstead Place.

	Zoning	Land Use
Subject Property	CU-GB	Grassed strip along street R/W, brick serpentine wall and parking lot
North	LO	Office building
East	RS-7	Single family dwellings
South	GB	Rock-ola Cafe & Dulux Paints
West	CU-GB	Parking lot for Dover Place and Dover Square

Mr. Martin stated that the Planning Department had recommended denial of the request, and the Zoning Commission had voted to recommend its approval. He thereupon provided a slide presentation of the property and surrounding area.

Henry Isaacson, representing Dover Park LLC, provided a history of the area and rezoning of the property. He outlined in detail additional information provided to Council with respect to the original plans for the property in 1993, the rejection by the Parks and Recreation Department to accept this land for use as an area park, the problem with maintenance of the property, the inability to use the property as currently zoned, etc. Mr. Isaacson reviewed the conditions contained in the proposed ordinance

that would ensure the development would be in harmony with the neighborhood; he also provided a rendering of the proposed development, for illustrative purposes only. Mr. Isaacson emphasized that a number of the conditions contained in the proposed ordinance were in response to requests by area residents. He also provided a number of notarized letters in support of the request.

Anna Reardon, residing at 1105 Dover Road, spoke to earlier plans for the property which did not materialize and offered her support of the proposed rezoning.

Mr. Martin stated that the Planning Department recommended that this request be denied. He advised this property was rezoned to Conditional Use - General Business with the current conditions in November 1993 and that staff had long been concerned with the properties along Winstead Place since this area was still a viable residential neighborhood. Mr. Martin stated that part of the reason advanced back in 1993 for rezoning Parcels A and B was that there would be no commercial access to Winstead Place and that Parcel A would be limited to a landscaped buffer area containing a solid brick wall for its entire length, thus offering some degree of protection for the neighborhood and not creating an adverse precedent for nonresidential access to Winstead Place. He further advised the Greensboro Department of Transportation had informed planning staff that they do not support Condition No. 2 which would permit two driveways on Winstead Place. Mr. Martin stated the outcome of this rezoning request may very well dictate what happens to the remainder of residential lots along Winstead Place and, for this reason, staff strongly recommended that this request be denied.

Council discussed various opinions and concerns with respect to the rezoning request. Councilmembers Holliday and Carmany expressed concern that this property was rezoned in 1993 with specific conditions in place to protect residents in the area; however, Council was now being requested to change what appeared to be an ideal buffer for the neighborhood. They agreed with staff that this zoning change could lead to problems in the area or set a precedent for future requests. Other Council members expressed the belief that the proposed rezoning would be the highest and best use of the property and that the conditions placed on the ordinance would ensure development that would be compatible with the neighborhood,

After further discussion, Councilmember Vaughan moved that the ordinance rezoning this property to Conditional Use - General Office Moderate Intensity be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because most surrounding property is either zoned General Business or Limited Office and further because it will enhance the value of adjoining properties.

- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this request simply allows one, one-story building with the only uses permitted as those set forth in the petitioner's conditions.

The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Johnson, Mincello, Perkins and Vaughan. Noes: Carmany and Holliday.

98-64 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF  
CONDITIONAL USE PERMIT

SOUTHWEST INTERSECTION OF WEST NORTHWOOD STREET AND WINSTEAD PLACE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use - General Business to Conditional Use - General Office Moderate Intensity (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the northern right-of-way line of Winstead Place, said point being a common corner with Dover Square Condominium as recorded in Plat Book 2, Page 156 in the Office of the Register of Deeds of Guilford County; thence along said right-of-way line the following three calls: S59°48'16"E 65.08 feet; S53°32'34"E 64.88 feet; and S57°23'42"E 100.06 to a point; thence leaving said right-of-way line S35°45'16"W 144.78 feet to a point; thence N56°56'01"W 164.33 feet to a point; thence N55°52'57"W 10.12 feet to a point; thence N56°44'05"W 50.93 feet to a point; thence N33°58'30"E 141.79 feet to the point of BEGINNING, containing 1.532 acres more or less.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses shall be limited to a beauty salon and/or barber shop and only the following uses permitted in the Limited Office Zoning District: Accessory Uses and Structures: Accessory Uses and Structures (customary); Educational and Institutional Uses: Libraries; Museums or Art Galleries; Business, Professional and Personal Services: Accounting, Auditing, or Bookkeeping; Administrative or Management Services; Economic, Socio., or Educational Research; Engineering, Architect or Survey Services; Insurance Agencies (no on-site claims inspection); Law Offices; Medical, Dental, or Related Offices; Medical or Dental Laboratories; Noncommercial Research Organizations; Real Estate Offices; Rehabilitation or Counseling Services; Stock, Security or Commodity Brokers; Travel Agencies; Other Uses: Parking for

- any of the Above Permitted Uses.
- 2) A maximum of two (2) site access driveways shall be allowed on Winstead Place at Northwood Street at locations approved by GDOT/NCDOT.
  - 3) The maximum height of the building shall be 38 feet (1 story).
  - 4) The building shall be constructed of brick veneer with wood trim.
  - 5) Along the frontage of Winstead Place at Northwood Street, the average width of the street yard as well as the rate of shrub planting and minimum caliper of canopy trees shall be doubled (16', 34 per 100 and 4", respectively).
  - 6) There shall be no Bar and no Sexually Oriented Business (as that term is defined in City of Greensboro Ordinance 30-2-2.7) located in this parcel.
  - 7) There shall be no vehicular access between the subject property and any adjoining properties to the south, east or west.
  - 8) There shall be no parking between the building, which shall be located on the subject property, and Winstead Place.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Donald R. Vaughan

(Information provided by Mr. Isaacson is filed in Exhibit Drawer M, Exhibit Number 2, which is hereby referred to and made a part of these minutes.)

.....

The City Council recessed at 8:30 p. m.

The City Council re-convened at 8:35 with all members present, except Councilmember Jones excused earlier in the meeting.

.....

After the Mayor advised that item # 15 an ordinance rezoning from RS-12 Residential Single Family to Conditional Use-RM-8 Residential Multifamily for property located on the north side of Joseph M. Bryan Boulevard west of Horse Pen Creek Road would be advertised for public hearing on Tuesday, May 19, 1998. Councilmember Vaughan moved that this item be deleted from the agenda. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of the Council.

.....

The Mayor stated that this was the time and place set for a public hearing to consider an Ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to add the land use "Elementary or Secondary Schools" as a permitted use in the Central Business District.

Mr. Martin advised that the Planning Department recommended approval of this rezoning request; he also stated that in an effort to expedite this rezoning and enable the operation of this school in the Central Business District, this amendment was being presented directly to the City Council for its consideration.

Leon Bynum, residing at 804 Rockhurst Drive, Sedalia, NC, and representing the Imani Institute to be located in the old Duke Power Building at 201 North Church Street, spoke in favor of the rezoning. Mr. Bynum advised students at risk of failure would attend the charter middle school; he thereupon discussed with Council the proposed operation of the school; i.e., the timetable for opening the school, the proximity to the library and cultural center, the school's partnership with the YWCA and others, the future play area planned for the facility, the enhanced curriculum that would be offered to the students, enrollment statistics, transportation to be used by the students who resided at different parts of the city/county, etc.

Bob Klepfer, residing at 1402 Forest Hill Drive, attorney for the Imani Institute, spoke in favor of the rezoning.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

#### 98-65 AMENDING CHAPTER 30

#### AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Table 30-4-5-1, Permitted Use Schedule, is hereby amended by placing a "P" entry in CB column for the use "Elementary or Secondary Schools" under the Educational and Institutional Uses subsection.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extend of such conflict.

Section 3. This ordinance shall be effective upon the date of adoption.

(Signed) Yvonne J. Johnson

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution closing Occident Street from Caldwell Street eastward to Randolph Avenue. She thereupon introduced so these matters could be considered together, a resolution closing Occident Street from Vance Street eastward to Bellevue Street, a resolution closing

Caldwell Street from Occident Street southward to Orient Street, a resolution closing Orient Street from Randolph Avenue westward to Caldwell Street, and a resolution closing Vance Street, a residual portion located at its southern end, created by the proposed realignment of Vance Street. Mayor Allen asked if anyone wished to be heard.

After brief discussion concerning the fact that these street closings would facilitate the development of the Village at Arlington Park and there being no one present desiring to speak to these matters, Councilmember Burroughs-White moved adoption of the resolution closing Occident Street from Caldwell Street eastward to Randolph Avenue. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

96-98 RESOLUTION CLOSING OCCIDENT STREET FROM CALDWELL EASTWARD TO RANDOLPH AVENUE

WHEREAS, the owners of all of the property abutting both sides of Occident Street from Caldwell eastward to Randolph Avenue have requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, May 5, 1998 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

OCCIDENT STREET FROM CALDWELL STREET EASTWARD TO RANDOLPH AVENUE

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

.....

Councilmember Burroughs-White moved adoption of the resolution closing Occident Street from Vance Street eastward to Bellevue Street. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

97-98 RESOLUTION CLOSING OCCIDENT STREET FROM VANCE STREET EASTWARD  
TO  
BELLEVUE STREET

WHEREAS, the owner of all of the property abutting both sides of Occident Street from Vance Street eastward to Bellevue Street has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, May 5, 1998 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

OCCIDENT STREET FROM VANCE STREET EASTWARD TO BELLEVUE STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

.....

Councilmember Burroughs-White moved adoption of the resolution closing Caldwell Street from Occident Street southward to Orient Street. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White,

Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

98-98 RESOLUTION CLOSING CALDWELL STREET FROM OCCIDENT STREET  
SOUTHWARD  
TO ORIENT STREET

WHEREAS, the owner of all of the property abutting both sides of Caldwell Street from Occident Street southward to Orient Street has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, May 5, 1998 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

CALDWELL STREET FROM OCCIDENT STREET SOUTHWARD TO ORIENT STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

.....

Councilmember Burroughs-White moved adoption of the resolution closing Orient Street from Randolph Avenue westward to Caldwell Street. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

99-98 RESOLUTION CLOSING ORIENT STREET FROM RANDOLPH AVENUE WESTWARD  
TO  
CALDWELL STREET



WHEREAS, the owners of all of the property abutting both sides of Orient Street from Randolph Avenue westward to Caldwell Street have requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, May 5, 1998 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

ORIENT STREET FROM RANDOLPH AVENUE WESTWARD TO CALDWELL STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

.....

Councilmember Burroughs-White moved adoption of the resolution closing Vance Street, a residual portion located at its southern end, created by the proposed realignment of Vance Street. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

100-98 RESOLUTION CLOSING VANCE STREET, A RESIDUAL PORTION LOCATED AT ITS SOUTHERN END, CREATED BY THE PROPOSED REALIGNMENT OF VANCE STREET

WHEREAS, the owner of all of the property abutting both sides of Vance Street, a residual portion located at its southern end, created by the proposed realignment of Vance Street has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, May 5, 1998 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

VANCE STREET, A RESIDUAL PORTION LOCATED AT ITS SOUTHERN END, CREATED BY THE PROPOSED REALIGNMENT OF VANCE STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

.....

In response to a request received from Bennett College, Councilmember Burroughs-White moved that the resolution closing Gorrell Street between Sampson Street and Bennett Street be continued without further advertising to the 2 June 1998 meeting of Council. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of the Council.

.....

Mayor Allen stated that was the time and place set for a public hearing to consider a Concurrent Resolution whereby the Cities of Burlington, Greensboro, High Point and Winston-Salem signify their determination to organize the Piedmont Authority for Regional Transportation.

The City Manager advised the resolution was being recommended in an effort to move ahead to improve regional transportation; he spoke to the timeframe for adoption of this resolution by other municipalities.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

101-98

A CONCURRENT RESOLUTION WHEREBY THE CITIES OF  
BURLINGTON, GREENSBORO, HIGH POINT AND WINSTON-SALEM  
SIGNIFY THEIR DETERMINATION TO ORGANIZE THE PIEDMONT  
AUTHORITY FOR REGIONAL TRANSPORTATION

WHEREAS, on August 4, 1997, the General Assembly of North Carolina ratified Ch. 393, 1997 Session Laws, as Article 27, Chapter 160A, of the North Carolina General Statutes, which is the "Regional Transportation Authority Act," and which is referred to herein as "the Act;"

WHEREAS, the Cities of Burlington, Greensboro, High Point and Winston-Salem are the four largest cities within an area meeting the criteria of G.S. 160A-632 ("Definition of Territorial Jurisdiction of Authority") for creation of an Authority as defined in G.S. 160A-631 ("Definitions");

WHEREAS, the Cities of Burlington, Greensboro, High Point and Winston-Salem, the general public, and other interested parties, both public and private, have actively and consequentially participated individually, severally and jointly, in the multi-year, regional issue and consensus development processes fundamental to the ratification and enactment of the Act;

WHEREAS, the City of Greensboro has engaged in these processes for the purpose of coordinating regional transportation planning and cooperation to provide safe, efficient and effective transportation solutions to worsening transportation problems and to enhance the quality of life; provide transportation choices; enhance mobility, accessibility and safety; and to promote economic development, while protecting the environment;

WHEREAS, pursuant to Section 160A-638 ("Purpose of the Authority") an Authority created under the Act shall have as its purpose to promote the development of sound transportation systems which provide transportation choices; enhance mobility, accessibility and safety; encourage economic development and sound growth patterns and protect the man-made and natural environments of the region;

WHEREAS, the City Council of Greensboro desires by this Concurrent Resolution to signify its determination to organize an Authority under applicable provisions of the Act;

WHEREAS, it is understood that this Concurrent Resolution shall not be considered fully effective until such time, if any, as its counterparts are adopted respectively by the City Council/Board of Alderman of the Cities of Burlington, High Point and Winston-Salem.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council of the City of Greensboro hereby signifies its determination to organize an Authority under the Act.

2. That the articles of incorporation of such Authority are included herein by reference, and that these articles of incorporation set forth:

a) the "Piedmont Authority for Regional Transportation" as the official name of such Authority,

b) that such Authority is organized under the Act, and

c) that the names of the four cities organizing such Authority under the Act are Burlington, Greensboro, High Point and Winston-Salem.

3. That pursuant to Section 160A-638 ("Purpose of the Authority") the Authority shall have as its purpose to enhance the qualities of life in its territorial jurisdiction by promoting the development of sound transportation systems which provide transportation choices; enhance mobility, accessibility and safety; encourage economic development and sound growth patterns; and protect the man-made and natural environment of the region.

4. That pursuant to Section 160A-633 ("Creation of Authority"), a Public Hearing was duly conducted by the Greensboro City Council concerning the matter of organizing an Authority under the provisions of the Act prior to adoption of this Concurrent Resolution by the City Council of the City of Greensboro.

5. That this resolution shall become effective when concurrent counterparts are adopted by the City Council of the Cities of Burlington, High Point and Winston-Salem.

(Signed) Sandy Carmany

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution approving the 1998-99 Housing and Community Development Plan and authorizing the submission of a one-year action plan for Community Development Block Grant Funding for the 1998-99 Fiscal Year. The Mayor asked if anyone wished to be heard.

Mr. Curry reviewed the proposed 1998-99 Housing and Community Development Plan (HCD); i.e., Mission; focus; Sources and Uses of Funds; and Housing, Neighborhood Development, and Human Services Goals for 1998-99. He also provided a list of the recommended agency funding by Community Resource Board (CRB) 1998-99 Human Services.

Estella Johnson, representing Gate City Community Development Corporation, stated this organization had met every criteria established by the CRB, had presented appropriate budgets and information; she requested Council to adhere to the CRB recommendations and approve Gate City CDC's proposal.

Brenda Dumas, residing at 712 Devon Court and Chairperson of Gate City CDC, spoke to the positive work being done by the organization; she requested Council to abide by the CRB recommendations and provide the \$50,000 allocation to Gate City.

Nettie Coad, residing at 706 Martin Luther King Jr. Drive and a member of the Ole Asheboro Neighborhood Association, expressed her belief that the CRB does not adequately represent neighborhoods who would most benefit from City funding. She spoke to the past work of the Community Development Commission, noted the participation on that Commission by neighborhood representatives, and requested Council to reconsider reinstating that Commission. Ms. Coad spoke to ongoing problems encountered by neighborhood organizations when trying to present proposals to the CRB and expressed her opinion that the CRB process was not working. In response to Council inquiries, Ms. Code advised the neighborhoods of Ole Asheboro, Gorrell Street, Arlington Park, College Hill and other target areas were not represented on the CRB.

Mr. Curry briefly explained that at the time the CRB was created, the Board was needed to provide, in a timely manner, a broader focus to deal with many issues, not just neighborhood related activities. He spoke to problems encountered in this process and to the need for the Board to develop recommendations on how to organize better community representation.

John Saunders, residing at 1027 Pearson Street, spoke to his frustration with being unable to express his feelings/opinions at the CRB meetings. He advised the proposal he had presented to the CRB had received City staff's approval and met HUD guidelines, but had not received funding from the CRB. Mr. Saunders stated the CRB had instructed him to work with Human Services in a effort to secure funding for his proposal and that he did not believe this to be suitable. Mr. Saunders further stated he believed the CRB should be educated about neighborhood problems and requested Council to investigate and resolve the problems with the CRB.

Assistant City Manager Mona Edwards provided a brief explanation regarding the process used by the CRB. She advised the Board had set aside funds for the neighborhood assistance category in an effort to work and put forth a proposal to address existing needs and added that although the funding allocations had not been cut off, the process had been slowed down. The Assistant City Manager stated that the CRB was concerned with duplication of efforts in some neighborhood proposals and had encouraged neighborhoods to work together. She stated there were still opportunities for funding of neighborhood proposals.

Celeste Simmons, residing at 1028 Pearson Street, expressed concern that her proposal submitted to the CRB had been denied.

Council discussed with the Manager and Mr. Curry the timeframe involved with the submission of this Plan to the Department of Housing and Urban Development in relationship to Greensboro's process; discussion was also held with respect to the manner in which future modifications could be made to the Plan in accordance with directions received from Council during budget discussions. In order to meet the deadlines for federal funding, the Manager encouraged Council to adopt the Plan as proposed and consider adjustments, if necessary, at a later time.

Council expressed various opinions and concerns with respect to certain organizations which had been recommended for funding by the CRB. After lengthy discussion, Councilmember Perkins moved that the resolution be amended to exclude specific funding allocations for East Market Street Development Corporation, Gate City Community Development Corporation, Gideon's Army and Productivity Management Group and in place of these allocations including an undesignated Neighborhood Economic Development activity funded in the amount of \$162,500. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of the Council.

After Councilmember Johnson advised that One Step Further received assistance from these funds, the City Attorney advised that she should abstain from voting on this matter.

Councilmember Perkins moved adoption of the resolution, as amended. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Mincello, Perkins and Vaughan. Noes: None, with Councilmember Johnson abstaining due to conflict of interest.

102-98 RESOLUTION APPROVING THE 1998-99 HOUSING AND COMMUNITY DEVELOPMENT PLAN AND AUTHORIZING THE SUBMISSION OF A ONE-YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE 1998-99 FISCAL YEAR

WHEREAS, the Department of Housing and Community Development has prepared the 1998-99 Housing and Community Development Plan which states goals and objectives for affordable housing, neighborhood development, neighborhood economic development and human services for the coming year; and

WHEREAS, the Community Resource Board has recommended the 1998-99 Housing and Community Development Plan to City Council for consideration following public hearings to receive proposals and public comments; and

WHEREAS, under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended, the Secretary of the Department of Housing and Urban Development is authorized to make Community Development Block Grants for the conduct of Community Development Programs; and

WHEREAS, it is desirable and in the public interest for the City of Greensboro to prepare and submit a Consolidated Plan and One-Year Action Plans for conducting Community Development activities in the City of Greensboro; and

WHEREAS, the City has prepared a One-Year Action Plan describing activities to be undertaken with Community Development Block Grant Funds during the 1998-99 fiscal year; and

WHEREAS, it is understood that acceptance of a Community Development Block Grant obligates the City of Greensboro to conduct and administer Community Development Program activities in accordance with requirements of Title I of the Housing and Community Development Act of 1974, as amended,

applicable Federal and State Laws, and implementing rules and regulations officially adopted by the Department of Housing and Urban Development;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO;

1. That the 1998-99 Housing and Community Development Plan is hereby approved as recommended by the Community Resource Board, except as amended by City Council to exclude specific funding allocations for East Market Street Development Corporation (\$50,000), Gate City Community Development Corporation (\$50,000), Gideon's Army (\$12,500), and Productivity Management Group (\$50,000) and in place of these allocations including an undesignated Neighborhood Economic Development activity funded in the amount of \$162,500.

2. That the submission of a One-Year Action Plan for a Community Development Block Grant in the amount of \$2,503,000 is hereby authorized and approved.

3. That the conduct of Community Development Block Grant Program activities in whole or in part by the City of Greensboro and/or designees is hereby authorized and approved.

4. That the City of Greensboro is fully cognizant of the obligations, responsibilities, and requirements accompanying the acceptance of a Community Development Block Grant and that it is the sense of this body that such obligations, responsibilities, and requirements will be fulfilled.

5. That the City Manager is designated as the official representative of the City of Greensboro, is authorized to submit the final statement, all understandings and assurances contained therein, and directed to act in connection with the submission of the final statement and to provide such additional information as may be required.

6. That the City Manager, as Chief Executive Officer, is authorized and consents on behalf of the City of Greensboro and himself (1) to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969, insofar as the provisions of such act apply to the administration and conduct of local Community Development Program activities as referred to above; and (2) to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.

(Signed) Robert V. Perkins

(A copy of the proposed 1998-99 Housing and Community Development Plan for the City of Greensboro and other information presented by Mr. Curry is filed with the above resolution and is hereby referred to and made a part of these minutes.)

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution authorizing the submission of a one-year action plan for Home Consortium Funds and the conduct of Home

Consortium Activities for the 1998-99 Fiscal Year. The Mayor asked if anyone wished to be heard.

After brief comments by Mr. Curry, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

103-98 RESOLUTION AUTHORIZING THE SUBMISSION OF A ONE-YEAR ACTION PLAN  
FOR  
HOME CONSORTIUM FUNDS AND THE CONDUCT OF HOME CONSORTIUM  
ACTIVITIES  
FOR THE 1998-99 FISCAL YEAR

WHEREAS, under the Cranston-Gonzalez National Affordable Housing Act of 1990, the Secretary of the Department of Housing and Urban Development is authorized to make HOME Program grants for the conduct of HOME Programs; and

WHEREAS, the City of Greensboro, Guilford County, the City of High Point, the City of Burlington, and Alamance County have formed a Housing Consortium to receive HOME funding; and

WHEREAS, the City of Greensboro, as Lead Entity for the Greensboro/Guilford/High Point/Burlington/Alamance Housing Consortium, is responsible for submitting all Federal applications and reports; and

WHEREAS, each Consortium member developed their HOME program and conducted their own citizen participation process; and

WHEREAS, the City of Greensboro has prepared a One Year Action Plan for the 1998-99 Fiscal Year for the Consortium; and

WHEREAS, it is understood that acceptance of a HOME Program Grant obligates the City of Greensboro to conduct and administer HOME Program activities in accordance with the requirements of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, applicable Federal and State Laws, and implementing rules and regulations officially adopted by the Department of Housing and urban Development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the submission of a consolidated application for the Greensboro/Guilford/High Point/Burlington/Alamance Housing Consortium HOME funding in the amount of \$1,636,000 is hereby authorized and approved.

2. That the One-Year Action Plan for the Consortium is hereby approved.

3. That the City of Greensboro and each member jurisdiction will provide any required local match from non-federal funds.

4. That the conduct of HOME Program activities in whole or in part by the City of Greensboro and/or designees is hereby authorized and



approved.

5. That the City of Greensboro and each member of the Consortium is fully cognizant of the obligations, responsibilities, and requirements accompanying the acceptance of a HOME Grant and that it is the sense of this body that such obligations, responsibilities, and requirements will be fulfilled.

6. That the City Manager is designated as the official representative of the city of Greensboro, is authorized to submit the final statement, all understandings and assurances contained therein, and directed to act in connection with the submission of the final statement and to provide such additional information as may be required.

7. That the city Manager, as Chief Executive Officer, is authorized and consents on behalf of the City of Greensboro and himself (1) to assume the status of a responsible Federal official under the national Environmental Policy Act of 1969, insofar as the provisions of such act apply to the administration and conduct of local HOME Program activities as referred to above; and (2) to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.

(Signed) Claudette Burroughs-White

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Mayor Allen introduced a resolution approving the Rental Housing Improvements Program; she advised this item had been continued from the regular meetings of February 3, February 17, March 3 and April 7,

At the request of Mr. Curry, Councilmember Johnson moved that this resolution be deleted from the agenda until the matter was brought back by staff for Council action. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

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The Mayor introduced a resolution approving bid in the amount of \$1,083,508.24 and authorizing contract with MAPCO, Inc. for the construction of the Groometown Road Tank Feeder Main.

After brief discussion with Steve Kennedy, Director of the Engineering and Inspections Department, regarding this company's recent more aggressive approach to pursuing City business and the company's performance record, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

104-98 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO.

1998-06 FOR THE GROOMETOWN ROAD TANK FEEDER MAIN PROJECT

WHEREAS, after due notice, bids have been received for the Groometown Road Tank Feeder Main Project;

WHEREAS, MAPCO, Inc., a responsible bidder, has submitted the low base bid in the total amount of \$1,083,508.24, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by MAPCO, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account Nos. 503-7002-01.5419 (\$900,000.00) and 503-7004-01.6019 (\$183,508.24).

(Signed) Sandy Carmany

(A tabulation of bids received for the Groometown Road Tank Feeder Main Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Mayor Allen introduced a resolution authorizing sidewalk encroachment in City right-of-way for the installation of a clock located at 342 North Elm Street and owned by the Chamber of Commerce.

After brief discussion, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

#### 105-98 RESOLUTION AUTHORIZING THE GRANTING OF AN ENCROACHMENT EASEMENT TO

#### THE CHAMBER OF COMMERCE FOR CITY SIDEWALK RIGHT-OF-WAY FOR THE INSTALLATION OF A CLOCK AT 342 NORTH ELM STREET

WHEREAS, the Chamber of Commerce has submitted a site plan for the installation of a clock in City sidewalk right-of-way in front of their new office located at 342 North Elm Street;

WHEREAS, the clock will be approximately eleven (11) feet in height and will be located within the sidewalk, in line with existing signs and poles;

WHEREAS, the Chamber of Commerce shall assume all liability for any injury of damage as a result of said encroachment;

WHEREAS, in the opinion of the City Council, such encroachment will neither cause a public nuisance nor unreasonably interfere with the use of the streets and sidewalks by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That, pursuant to authority contained in Section 4.128(c) of the City Charter, said encroachment in the City right-of-way located on

North Elm Street in front of the Chamber of Commerce Building is hereby authorized until such time as said easement is required by the City for public purposes.

2. That the Chamber of Commerce shall save the City harmless from any and all loss to persons or property resulting from the use of the encroachment easement.

(Signed) Donald R. Vaughan

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After the introduction by Mayor Allen of a resolution of the City Council of the City of Greensboro calling for a public hearing for June 2, 1998 on the Redevelopment Plan and feasibility of relocation for the East Market Street Redevelopment Area "A", Councilmember Burroughs-White moved its adoption. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

106-98 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENSBORO CALLING FOR A PUBLIC HEARING ON THE REDEVELOPMENT PLANS AND FEASIBILITY OF RELOCATIONS FOR THE EAST MARKET STREET REDEVELOPMENT AREA "A".

WHEREAS, under the authority of Article 22 of Chapter 160A of the General Statutes of North Carolina, and particularly Section 160A-513 of the General Statutes as amended, the Redevelopment Commission has prepared Redevelopment Plan for the area known as East Market Street A; and

WHEREAS, the Redevelopment Commission and the Planning board have established dates to conduct public hearings on the redevelopment plan; and

WHEREAS, G.S. 160A-513(g) requires that the City Council hold a public hearing upon the redevelopment plans and feasibility of reallocation:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That on June 2, 1998 at 6:00 PM in the City Council Chamber in the Melvin Municipal Office Building, the City Council shall hold a public hearing on the redevelopment plans and the feasibility of relocation for East Market Street Area A.

2. That the boundary description for East Market Street Area A is as follows:

Beginning at the intersection of S. Church Street and Hughes Street, extending north along South Church Street to the northern boundary of parcel 15-1-43 at 216 North Church Street. Extending east approximately 300 feet, extending north approximately 350 feet to a point where Isley Street ends. Extending east from Isley Street to the Norfolk and southern Railroad Tracks. Extending south along the railroad tracks to East market Street. Extending east along East market Street to South Murrow Boulevard. Extending north along South Murrow Boulevard to East Friendly Avenue.

Extending east along East Friendly Avenue until it adjoins with East Market Street (two-way traffic). Extending east along East Market Street to the eastern boundary of the Post Office parking lot. Extending south along the parking lot boundary to the Norfolk and Southern Railroad Tracks. Extending west along the railroad tracks to East Washington Street. Extending south along East Washington Street to the curve at which point it becomes Medley Street. Extending west along Medley Street beyond its intersection with Plott Street through to a point where it would intersect with South Murrow Boulevard. Extending north along South Murrow Boulevard to the Norfolk and Southern Railroad Tracks. Extending west along the railroad tracks to a point approximately 400 feet west of Sergeant Street. Extending north from this point, beyond the intersection of the railroad tracks, beyond the intersection of East Washington Street to Hughes Street. Extending west along Hughes Street to South Church Street, hence the point of beginning.

3. The general scope of the projects consist of rehabilitation for structures; the acquisition of land; the demolition or removal of buildings and improvements; the construction or reconstruction of utilities, open space and other side improvements; and the sale or lease of project land for redevelopment by private enterprise or public agencies as authorized by law.

4. At the hearing, the proposals and plans for the relocation of persons located within the project areas as well as other elements of the projects will be open for discussion. The redevelopment proposals with such maps. Plans and other documents as form part of said proposals shall be available for public inspection at the office of the Director of Housing and Community Development for the city of Greensboro and shall be available from the date of this resolution until the item of the public hearing.

5. That this resolution be published at least once a week for two successive weeks in a newspaper of general circulation in the City of Greensboro, the first publication to be at least fifteen days before the date of the public hearing.

(Signed) Claudette Burroughs-White

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After the introduction by Mayor Allen of a resolution of the City Council of the City of Greensboro calling for a public hearing for June 2, 1998 on the Redevelopment Plan and feasibility of relocation for the East Market Street Redevelopment Area "B", Councilmember Burroughs-White moved its adoption. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

**107-98 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENSBORO CALLING FOR A PUBLIC HEARING ON THE REDEVELOPMENT PLAN AND FEASIBILITY OF RELOCATIONS FOR THE EAST MARKET STREET REDEVELOPMENT AREA "B"**

WHEREAS, under the authority of Article 22 of Chapter 160A of the General Statutes of North Carolina, and particularly Section 160A-513 of the General Statutes as amended, the Redevelopment Commission has prepared

Redevelopment Plans for the areas known as East Market Street Area B; and

WHEREAS, the Redevelopment Commission and the Planning Board have established dates to conduct public hearings on the redevelopment plans; and

WHEREAS, G.S. 160A-513(g) requires that the City Council hold a public hearing upon the redevelopment plans and feasibility of reallocations:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That on June 2, 1998 at 6:00 PM in the City Council Chamber in the Melvin Municipal Office Building, the City Council shall hold a public hearing on the redevelopment plan and the feasibility of relocation for East Market Street Area B.

2. That the boundary description for East Market Street Area B is as follows:

Beginning at the intersection of East market Street and Ivy St. Rp., extending north along Ivy St. Rp. to the point where it curves into Huffman Street. Extending north along Huffman Street approximately 100 feet to the northern property line of a single family residence. Extending east along this property line approximately 250 feet, at which point the property line extends south approximately 50 feet. Continuing along this property line, extending east approximately 150 feet beyond the intersection with Shaw Street. Extending north along the eastern boundaries of single family homes property lines to the intersection with Stanley Street. Extending east along Stanley Street to the intersection with Winston Street. Extending south along Wingston Street approximately 100 feet to the northern property line of East Market Plaza. Extending east along the fenced property line to Durham Street. Extending north along Durham Street to the intersection of Charlotte Street. Extending east along Charlotte Street to the intersection of Raleigh Street. Extending south along Raleigh Street to the intersection of East Market Street. Extending west along East Market Street to the intersection of Ivy St. Rp., hence the point of beginning.

3. The general scope of the projects consist of rehabilitation for structures; the acquisition of land; the demolition or removal of buildings and improvements; the construction or reconstruction utilities, open space and other side improvements; and the sale or lease of project land for redevelopment by private enterprise or public agencies as authorized by law.

4. At the hearing, the proposals and plans for the relocation of persons located within the project areas as well as other elements of the projects will be open for discussion. The redevelopment proposals with such maps. Plans and other documents as form part of said proposals shall be available for public inspection at the office of the Director of Housing and Community Development for the City of Greensboro and shall be available from the date of this resolution until the time of the public hearing.

5. That this resolution be published at least once a week for two

successive weeks in a newspaper of general circulation in the city of Greensboro, the first publication to be at least fifteen days before the date of the public hearing.

(Signed) Claudette Burroughs-White

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Mayor Allen introduced a resolution authorizing the execution of a Joint Cooperative Agreement forming a consortium with the City of Greensboro, Guilford County, City of High Point, City of Burlington and Alamance County for the Home Program beginning in FY 1999 and submission of the Joint Cooperative Agreement to the Department Housing and Urban Development.

After brief discussion, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

108-98 RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT COOPERATIVE AGREEMENT FORMING A CONSORTIUM WITH THE CITY OF GREENSBORO, GUILFORD COUNTY, CITY OF HIGH POINT, CITY OF BURLINGTON AND ALAMANCE COUNTY FOR THE HOME PROGRAM BEGINNING IN FY 1999 AND SUBMISSION OF THE JOINT COOPERATIVE AGREEMENT TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the HOME Investment partnership Act allows geographically contiguous units of local government to form a consortium and receive funding as if they were one unit of local government;

WHEREAS, the City of Greensboro is a Participating Jurisdiction in the Federal HOME Program, and Guilford County, City of High Point, City of Burlington, and Alamance county are not participating Jurisdictions;

WHEREAS, the formation of a consortium will increase Federal funding to the five jurisdictions by including the population of all five jurisdictions in the formula used by HUD to calculate the amount of the HOME funds awarded;

WHEREAS, it is in the public interest of the City of Greensboro to execute the Joint Cooperative Agreement forming the consortium with Guilford County, High Point, Burlington and Alamance County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor is authorized to execute the Joint Cooperative Agreement forming the consortium with the City of Greensboro, Guilford County, High Point, Burlington and Alamance County and to submit the agreement to the Department of Housing and Urban Development.

That the City Manager is authorized to establish the necessary administrative procedures to enable the city of Greensboro to act as the

lead entity for the consortium and to allow the city of Greensboro to participate and conduct HOME program activities in accordance with the requirements of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, applicable Federal and State laws, and implementing rules and regulations officially adopted by the Department of Housing and Urban Development.

(Signed) Donald R. Vaughan

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Mayor Allen introduced a resolution authorizing Change Order in the amount of \$348,247.60 in Contract # 96-000560 with John S. Clark Company, Inc. for the Greensboro Library Project.

Members of Council and the Manager commended staff for their efforts with respect to this project and briefly discussed the fact that this project was on time and within budget. Councilmember Burroughs-White also spoke to the Library Director's commitment to the branch libraries as well as the downtown facility.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan. Noes: None.

109-98 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 96-000560 WITH JOHN S. CLARK CO. INC. FOR THE GREENSBORO PUBLIC LIBRARY PROJECT

WHEREAS, Contract No. 96-000560 with John S. Clark Co. Inc. provides, through its sub-contractor, for the construction and installation of cabinets, counters and other "built-in-place" furniture, fixtures and equipment for the Greensboro Public Library Project;

WHEREAS, in order to maintain the same aesthetics as well as the quality of completed construction, the City has elected to incorporate all proposed free standing custom-built millwork into the above reference contract necessitating a change order in the contract in the amount of \$348,247.60.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with John S. Clark Co. Inc. for built-in furniture, fixtures and equipment construction for the Greensboro Public Library Project is hereby authorized at a total cost of \$348,247.60, payment of said additional amount to be made from Account No. 433-5502-01.6013, CBR .002.

(Signed) Yvonne J. Johnson

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Upon motion of Councilmember Carmany, seconded by Councilmember Vaughan, the minutes of the regular meeting of 21 April 1998 were unanimously approved by voice vote of Council.

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Councilmember Perkins moved that Eric M. Braun be appointed to fill unexpired term of Thomas Johnson on the Board of Adjustment; this term will expire 15 June 1998. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

Speaking to the Fire Department's response to a fire in his neighborhood, Councilmember Perkins commended those employees for their professionalism and timely response.

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In response to the low attendance of Zoning Commission members at a recent meeting, Council discussed the feasibility of having alternate members for that Commission. After discussion regarding various concerns and opinions, Council requested additional information and staff recommendations regarding attendance, frequency of members having to abstain, and the system used by Guilford County.

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Councilmember Carmany, speaking as the City's representative on a study committee in the Legislature on annexation and incorporation, provided an update with respect to the work of the committee. She advised members advocating drastic changes in the annexation laws did not attend the last meeting; therefore, most of Greensboro's positions were protected. She further stated that recommendations from the committee were acceptable to Greensboro and the League of Municipalities. Councilmember Carmany suggested that Greensboro should carefully monitor upcoming Legislative activities related to annexation.

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Councilmember Burroughs-White commended and expressed appreciation to all partners who assisted in the Village at Arlington Park project.

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Members of Council commended the Manager and Mr. Pate for presenting a budget which included a tax cut. Regarding the format to be used for the budget work sessions, the Manager emphasized that while these work sessions were open to the public, they were scheduled for Council and staff to exchange information and for staff to answer Council's questions about the budget. He cautioned that because of the complexity of the budget, Council could not accomplish the necessary work on the budget if individual requests were received at that time. The Manager confirmed that the appropriate time for individuals to comment on the budget or present individual budget requests to Council would be at the public hearing for the budget scheduled at the regular Council meeting at 6:00 p.m. on Tuesday, May 19, 1998, in the Council Chambers. He advised that if Council felt additional public hearings were needed after the budget work sessions and the May 19 public hearing, those could be scheduled at an appropriate time.



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Councilmember Holliday expressed appreciation to all Americans who had today exercised their right to vote thus ensuring that this opportunity would be available for future generations.

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Councilmember Johnson spoke to the memorable groundbreaking for the Village of Arlington Park and commended all participants for their efforts.

Councilmember Johnson added the name of Quinton Ballard to the boards and commissions data bank for possible service in no specific area.

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For citizens interested in the East Market Street Development Plan, the Mayor reviewed the schedule for several upcoming public hearings at which time citizen input would be received.

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The Manager advised that Linda Russell had provided Closed Captioning of this Council meeting. He stated that because of the intenseness of this process, at future meetings the Council would need to schedule a break for Ms. Russell every two hours.

Manager expressed appreciation for Council's comments on the proposed budget and commended members of staff for their hard work.

City Manager Kitchen spoke to discussions with Council in recent days about the situation involving sewer capacity and Greensboro's ability to discharge and add new connections to the system. He stated that he was making Council aware that Greensboro had been approving connection permits for new connections to the system on a conditional basis by advising those applicants that if the contractor's construction on the Osborne expansion continued to lag, there might be some risk that when their development was complete, Greensboro could not actually connect them to the system.

The Manager reiterated that Greensboro's connection capacity was very strictly governed by the State of North Carolina; he advised that even though the Water Resources staff had worked diligently to maximize our resources, the City's capacity had been stretched to the absolute limit that was permitted by the State until Phase II of the Osborne Construction project was complete. The Manager advised further that, effective this week, new applicants were being notified they were at risk in terms of their building projects depending upon their completion dates and subsequent requests for connection to our system.

The Manager added staff was disappointed to be informed recently by the contractor that their latest schedule projections pushed them even further back--to September or October; and the staff was not at all confident at this point that the contractor would hit those dates. He advised this could create some short term situations where Greensboro cannot connect new development to the system. He reaffirmed that

Greensboro staff would notify future applicants as well as the development community in general. The Manager reviewed the projected capacity which would be issued by the State after the completion of Phase 2 that would carry Greensboro through the full construction projects of Osborne as well as the ultimate capacity which would then be available to the community. He reiterated that difficulties with respect to the contractor adhering to their schedule had created the limitations that were available for new connections to the system.

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Councilmember Holliday and the Manager welcomed Susan Crotts, the new Deputy City Clerk, to her first Council meeting.

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Councilmember Johnson moved that the City Council adjourn. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 10:10 P.M.

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JUANITA F. COOPER  
CITY CLERK

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CAROLYN S. ALLEN  
MAYOR

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